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**R E M A R K S**

Claims 1-8 are pending in this application. Claims 1, 3 and 5 have been amended. No new matter has been added by way of these amendments, because each amendment is supported by the present specification. The amendment to claim 1 is supported, for example by the specification at page 2, lines 12-15, and the paragraph bridging pages 2-3 of the specification. The amendment to claim 3 corrects a grammatical error. The amendment to claim 5 is supported by the specification at page 16, lines 10-11. Thus, no new matter has been added.

Further, it is noted that many of the amendments made herein are not made for patentability purposes (e.g., to avoid the prior art) which might otherwise raise estoppel issues under the recent holding of *Festo Corp. v. Shoketsu Kinzoku Kogyo Kabushiki Co.*, 56 USPQ2d 1865 (Fed. Cir. 2000). For example, the amendments made herein with regard to claims 3 and 5, while responding to an outstanding rejection under 35 U.S.C. § 112, second paragraph, simply serve to clarify the inventive discovery that the Applicants regard as their own, without narrowing the scope of the same claims. Similarly, the amendment made herein to the final clause of claim 1 simply puts the claim in a better form for issuance in a United States Patent, without narrowing the scope of the claim.

Based upon the above considerations, entry of the present amendment is respectfully requested.

In view of the following remarks, Applicants respectfully request that the Examiner withdraw all rejections and allow the currently pending claims.

***Issues Under 35 U.S.C. § 112, Second Paragraph***

The Examiner has rejected claims 3 and 5 under 35 U.S.C. § 112, second paragraph, as allegedly being indefinite.

Applicants have amended claims 3 and 5. Claim 3 no longer recites "said molding", and claim 5 corresponds with the disclosure in the specification (see page 16, lines 10-11). Thus, Applicants respectfully request the Examiner to reconsider and withdraw this rejection.

***Issues Under 35 U.S.C. § 103(a)***

The Examiner has rejected claims 1-5, 7 and 8 under 35 U.S.C. § 103(a) as being unpatentable over JP 10-179498 (hereinafter JP '498) in view of Rolf et al. (U.S. Patent 5,536,263; hereinafter Rolf '263). The Examiner has also rejected claim 6 under 35 U.S.C. §103(a) as being unpatentable over JP '498 in view of Rolf '263, further in view of Royds et al. (U.S. Patent 5,466,465; hereinafter Royds '465).

The Examiner states that JP '498 discloses some features of the present invention, except for a supporting sheet that is liquid permeable (see Office Action, page 3). The Examiner then uses Rolf '263 to disclose "a liquid-permeable adhesive sheet comprising a stored active ingredient and a liquid-permeable porous adhesive layer such as hydrophilic emulsion polymer adhesive" (page 3). With regard to claim 6, the Examiner states that the combination of JP '498 and Rolf '263 fail in combination to teach "that each particle of a plurality of particles of an active ingredient member dispersed in an adhesive member is covered by an isolating layer thereby separating the active ingredient member and the adhesive member" (page 4). The Examiner then uses Royds '465 to disclose any lacking disclosure of the first combination of references. Applicants respectfully traverse these rejections.

#### The Present Invention and Its Advantages

There are many conventional methods of removing mold and dirt formed in wet places, including spraying or coating the surface with a solution containing a mold removing ingredient. However, these methods have drawbacks in that the liquid scatters in the air, scatters in places where no cleaning is necessary, or runs down the wall. Such cleaning may be unsatisfactory in that such solutions scattered in the air compromise safety. Further, when

other parts of the sprayed surface, or other items such as furniture, are unintentionally sprayed, the parts or items may fade.

In contrast, the present invention is directed to an adhesive cleaning sheet where mold and dirt can be removed with improved ease and safety, where the cleaning sheet possesses improved storage stability. Specifically, the adhesive mold removing cleaning sheet has a liquid-permeable supporting sheet, an active ingredient member comprising a mold removing ingredient, and a liquid-permeable adhesive member that has an adhesive. There is also an isolating layer that separates the active ingredient member and the adhesive member.

As mentioned, the conventional cleaning methods have drawbacks in that the liquid scatters in the air, scatters in places where no cleaning is necessary, or runs down the wall. In contrast, the adhesive cleaning sheet according to the present invention does not cause the mold removing ingredient to scatter. Because the mold removing ingredient does not scatter, the claimed sheet supplies the mold removing ingredient to the desired object of cleaning in a higher concentration, removes mold and dirt more effectively, and does so with improved safety over the conventional manners of cleaning. The uses of the claimed adhesive cleaning sheet are not limited, for the cleaning sheet can also be used to be stuck to,

for example, a garbage can for sterilization, disinfection or deodorization.

However, the prior art fails to disclose the claimed adhesive cleaning sheet and its advantages according to the present invention and the present claims. This will be discussed in more detail below.

Distinctions Between the Present Invention and the Combinations of JP '498 and Rolf '263, and JP '498, Rolf '263, and Royds '465

As discussed above, the present invention is directed to an adhesive mold removing cleaning sheet having a liquid-permeable supporting sheet, an active ingredient member comprising a mold removing ingredient, and a liquid-permeable adhesive member that has an adhesive, where there is an isolating layer for separating the active ingredient member and the adhesive member.

However, the references of JP '498, Rolf '263, and Royds '263 fail in any combination to disclose or suggest the present invention. Applicants respectfully submit that these references are improperly combined, and do not disclose all features of the claimed invention, for the following reasons.

Rolf '263 is directed a non-occlusive medication patch that is applied to human skin (for example, see Abstract). Royds '465 is also directed to a transdermal drug delivery system, where "the

delivery system is enclosed in a patch comprising a composite shell, which acts as an occlusive covering when attach to skin" (see Abstract). Thus, each of the references of Rolf '263 and Royds '465 is directed to improving drug or medication delivery by directly adhering to the skin of a human body and permeating the active ingredient from the skin and into the human body.

However, these delivery systems that utilize patches are completely different from the present invention. Instead, the present invention is directed to an adhesive cleaning sheet, where the cleaning sheet adheres to a cleaning surface (not the human body) where mold easily propagates (e.g., bathroom wall surface), so as to remove and/or prevent mold (not deliver medication). Nowhere in the cited references do they disclose or teach how to attain the present invention.

U.S. case law squarely holds that a proper obviousness inquiry requires consideration of two factors: (1) whether or not the prior art would have taught, motivated, or suggested to those of ordinary skill in the art that they should make the claimed invention (or practice the invention in case of a claimed method or process); and (2) whether the prior art would have revealed that in making the claimed invention (or practicing the invention in case of a claimed method or process), there would have been a reasonable expectation of success. See, e.g., *In re Vaack*, 947 F.2d 488, 20 USPQ2d 1438

(Fed. Cir. 1991); *In re Kotzab*, 55 USPQ2d 1313, 1316-17 (Fed. Cir. 2000). In other words, the prior art references themselves must state the motivation or suggestion to combine the references. Given the disclosure in Rolf '263 and Royds '465, there is no motivation for combining these two references. There are simply too many differences between the cited references and the claimed invention.

Rolf '263 and Royds '465 are directed to patches for human skin or the human body, which are not wall surfaces having mold. Further, an anti-molding effect is not the same as a medicinal effect on the human body. Thus, even the objective of the cited references is completely different from that of the present invention and the present claims. Thus, any combination clearly would involve improper hindsight reconstruction.

Furthermore, JP '498 cannot be further combined with the other cited references.

First, Rolf '263 and Royds '465 cannot be used to account for any lack of disclosure in JP '498 because the Rolf '263 and Royds '465 references are directed to transdermal patches for human skin, where the patches have a medicinal effect on the human body. Thus, JP '498 cannot be combined with both the Rolf '263 and Royds '465 references.

Second, JP '498 fails to disclose all features of the present invention. The Examiner has stated that JP '498 fails to disclose



the liquid-permeable supporting sheet of claim 1. In addition, JP '498 does not disclose the claimed adhesive cleaning sheet because the sticking and cleaning sheet of JP '498 has a different construction than the present invention. In fact, JP '498 includes the problem as discussed in the Applicants' "Description of the Related Art" section of the present specification. Specifically, the sticking and cleaning sheet of JP '498 has a base material layer 11 that mixes mildew removing components as formed on the supporting sheet 12 (see Abstract). This construction leads to the problem of increased deactivation of the mold removing agent with time during storage. In contrast, the present invention is directed to that problem of insufficient durability of the anti-molding function. The problem with the conventional sheets, like the one in JP '498, resides in the fact that an adhesive and a mold removing agent are mixed or in contact with each other, while having an adhesive property to one side due to the adhesion to, for example, a wet wall surface of a bathroom. This construction leads to poor storage stability.

In contrast, the present invention solves the above problem by, *inter alia*, forming an isolated layer for separating the anti-molding agent (the active ingredient) and the liquid-permeable adhesive member (see claim 1). This construction is different from the sticking and cleaning sheet of JP '498, and leads to results

such as improved storage stability. Thus, JP '498 lacks disclosure of more than just the liquid-permeable supporting sheet. Therefore, JP '498 does not render any of the present claims unpatentable when combined (whether proper or not) with any other reference (including references directed to transdermal patches applied to human skin).

In view of the above remarks, Applicants respectfully submit that the present claims encompass subject matter that is patentably distinguishable from the cited references. Specifically, the present claims are patentable over the combination of JP '498 and Rolf '263, and the combination of JP '498, Rolf '263, and Royds '465. Accordingly, the Examiner is respectfully requested to withdraw all rejections and allow the currently pending claims.

Should there be any outstanding matters that need to be resolved in the present application, the Examiner is respectfully requested to contact Eugene T. Perez (Reg. No. 48,501) at the telephone number of the undersigned below, to conduct an interview in an effort to expedite prosecution in connection with the present application.

**Attached hereto is a marked-up version of the changes made to the application by this Amendment.**

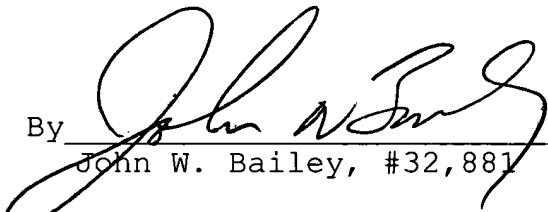
Pursuant to 37 C.F.R. § 1.17 and 1.136(a), Applicants respectfully petition a one (1) month extension of time for filing a response in connection with the present application. The required fee of \$110.00 is attached hereto.

If necessary, the Commissioner is hereby authorized in this, concurrent, and future replies, to charge payment or credit any overpayment to Deposit Account No. 02-2448 for any additional fees required under 37 C.F.R. §§ 1.16 or 1.17; particularly, extension of time fees.

Respectfully submitted,

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JWB/ETP: bmp  
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Attachment: Version with Markings to Show Changes Made

(Rev. 09/26/01)

**VERSION WITH MARKINGS TO SHOW CHANGES MADE****IN THE SPECIFICATION:**

The paragraph beginning on page 3, line 16, has been amended as follows:

In an embodiment of the invention, an adhesive cleaning sheet 10 has a liquid-permeable support sheet 11, an active ingredient member 12 comprising a mold removing ingredient, and a liquid-permeable adhesive member [3] 14 comprising an adhesive as shown in Fig. 1. An isolating layer 13 is provided between the active ingredient member 12 and the adhesive member 14 to separate them. The cleaning sheet 10 is stuck to a mold- or dirt-contaminated object on the side of the adhesive member 14.

**IN THE CLAIMS:**

The claims have been amended as follows:

Claim 1. (Amended) An adhesive mold removing cleaning sheet comprising:

a liquid-permeable supporting sheet;

an active ingredient member comprising a mold removing ingredient; and

a liquid-permeable adhesive member comprising an adhesive,

wherein an isolating layer is provided for separating said active ingredient member and said adhesive member, and said

cleaning sheet on use being [to be] stuck on to an object to be cleaned [of cleaning on] by applying the adhesive member thereof [on use] to the object.

Claim 3. (Amended) An adhesive cleaning sheet according to claim 1, wherein said [molding] mold removing ingredient is provided on said supporting sheet [to form said mold removing ingredient], said isolating layer is provided on said active ingredient member to cover said active ingredient member, and said adhesive is provided on said isolating layer to form said adhesive member.

Claim 5. (Amended) An adhesive cleaning sheet according to claim 1, wherein said adhesive member is a plurality of adhesive bands arranged in parallel in a width direction of said isolating layer.